



Appl. No. 10/699,322
Admt. Dated March 28, 2006
Reply to Office Action of February 28, 2006

REMARKS/ARGUMENTS

The Examiner has issued a restriction requirement in this application.

Applicant elects Claims 1 and 3-13 for examination, with traverse.

The Examiner states:

"Inventions II and I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make another and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 808308(f)). In the instant case the end tabs of the front panel can be adhesively attached to the top and bottom panels without being folded into the area between the top and bottom panels."

The Examiner's comment regarding adhesively attaching the end tabs of the front panel to the top and bottom panels without folding them into the area between the top and bottom panels is not understood.

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First of all, the end tabs are perpendicular to the top and bottom panels which is not conducive to adhesion.

Secondly, if the tab were not folded into the area between the panels there would be no way to "adhere" them to the panels.

Thirdly, the method of folding any blank into a corresponding box is blank specific. You could not fold this blank into any other box useable for any other purpose.

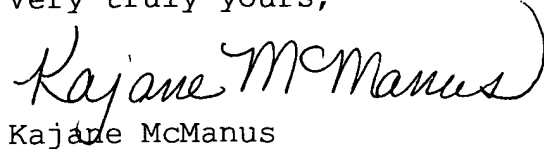
Fourthly, applicant is not required to contemplate and disclose every possible mode but only the best mode at the time the invention was conceived, which applicant has done.

Again, the method of folding the blank into applicant's universal flapper package is specific to this blank only and would be nonconductive for use in creating an identical box from some other blank, and such so created box or package would never create a universal flapper package. Accordingly it is not believed that the Examiner's distinction is well founded.

Inventorship remains the same.

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Very truly yours,

A handwritten signature in cursive script that reads "Kajane McManus". The signature is written in black ink and is positioned above the printed name and registration number.

Kajane McManus
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